

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

STEVEN AND SYLVIA SMITH as)	CASE NO. 8:06CV45
Parents and Guardians of A.S.,)	
a minor child,)	
)	
Plaintiffs,)	ORDER TO DISMISS
)	
vs.)	
)	
ELKHORN PUBLIC SCHOOLS,)	
)	
Defendant.)	

This matter is before the Court on the Plaintiffs' Motion to Dismiss (Filing No. 10).

The motion complies with the requirements of Federal Rules of Civil Procedure 41(a)(2).

Accordingly,

IT IS ORDERED:

1. The Plaintiffs' Motion to Dismiss (Filing No. 10) is granted;
2. The Complaint is dismissed without prejudice; and
3. The parties shall pay their own costs and attorney fees.

Dated this 4th day of April, 2006.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge